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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2569 OF 2021

BALU SOPAN BAGULAPPLICANT

V/s.

THE STATE OF MAHARASHTRARESPONDENT

WITH

CRIMINAL BAIL APPLICATION NO. 3302 OF 2021

DEVIDAS SOPAN BAGULAPPLICANT

V/S.

THE STATE OF MAHARASHTRARESPONDENT

WITH

CRIMINAL BAIL APPLICATION NO. 3200 OF 2021

SUSHILA BALU BAGULAPPLICANT

V/S.

THE STATE OF MAHARASHTRARESPONDENT

Mr. Ashok Chopra i/b Mr. Krishna R. Singh advocate for the
applicants

Mrs. Rutuja Ambekar APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE: 7th OCTOBER, 2021.

P.C.:

1] Applicants are seeking regular bail in C.R. No. 417/2021 registered with Kalyan Railway Police Station for offence punishable under Sections 306, 497, 504, 506 r/w 34 of the Indian Penal Code.

2] Applicant Balu and Sushila are husband and wife whereas Devidas is their son. Daughter of Balu and Sushila got married to deceased Sandeep who committed suicide on 11/05/2021. In suicide note, applicants are specifically named as such, they came to be arrested on 26/06/2021.

3] In response to the Courts query, learned APP informs that charge-sheet in the matter is already filed as the investigation is completed.

4] As far as the allegations against the applicants are concerned, same is punishable under Section 306 of the Indian Penal Code i.e. abetment to commit suicide.

5] Investigation papers, particularly, mobile recording speaks of tenor of the deceased against his wife.

6] As far as the applicants are concerned, prima facie it cannot be inferred that there is material on record so as to satisfy the ingredients of Section 306 of the Indian Penal Code. It cannot be inferred against the applicants from the available material on record that prima facie they were within know how that deceased Sandeep, because of their act is likely to commit suicide. Applicants were already subjected to custodial interrogation.

7] In the aforesaid background, applicants deserve to be released on bail.

(i) Applicants be released on bail in C.R. No. 417/2021 registered with Kalyan Railway Police Station for offence punishable under Sections 306, 497, 504, 506 r/w 34 of the Indian Penal Code upon furnishing P.R. bond in the sum of Rs. 15,000/- each with one or

two/more sureties in the like amount.

(ii) Applicants shall neither influence witnesses in any manner nor tamper with evidence.

8] Applications stand disposed of.

[NITIN W. SAMBRE, J.]